

UNITED STATES DISTRICT COURT  
DISTRICT OF NEW HAMPSHIRE

Kevin Cerroni

v.

Civil No. 09-cv-00142-JL

The Wackenhut Corporation,  
et al.

**ORDER AFTER PRELIMINARY**  
**PRETRIAL CONFERENCE**

The Preliminary Pretrial Conference was held in chambers on  
**July 16, 2009.**

The Discovery Plan (document no. 8) is approved as  
submitted, with the following changes:

- Completion of Discovery--**April 30, 2010**
- "DiBenedetto" disclosure deadline--**February 28, 2010**
- Deadline for disclosure of whether Attorney Irwin  
will act as trial counsel--**October 1, 2009**

The defendant will amend ¶ 2 of its Answer to clearly  
indicate its position with respect to its business activities at  
Seabrook Station. (A fully amended answer is not necessary. A  
one-paragraph filing, or a binding letter to plaintiff's counsel  
will suffice).

**Summary Judgment.** The parties and counsel are advised that compliance with Rule 56(e) and Local Rule 7.2(b), regarding evidentiary support for factual assertions, and specification and delineation of material issues of disputed fact, will be required.

**Discovery disputes.** Discovery disputes will be handled by the undersigned judge in the normal course. No motion to compel is necessary. The party or counsel seeking discovery-related relief should confer with adverse counsel to choose mutually available dates, and then contact the Deputy Clerk to schedule a conference call with the court. The court will inform counsel and parties what written materials, if any, should be submitted in advance of the conference call.

Customary motions to compel discovery, while disfavored by the undersigned judge, are nonetheless permissible. If counsel prefer filing a traditional motion to compel to the conference call procedure set forth above, such motions should expressly request, in the title of the motion, a referral to the United States Magistrate Judge. Such referral requests will normally be granted.

**SO ORDERED.**

  
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Joseph N. Laplante  
United States District Judge

Dated: July 16, 2009

cc: Lauren S. Irwin, Esq.  
Heather M. Burns, Esq.  
Daniel P. Schwarz, Esq.